

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TEXAS  
WACO DIVISION**

TEXAS BLOCKCHAIN COUNCIL, a  
nonprofit association; RIOT PLATFORMS,  
INC.,

*Plaintiffs,*

v.

Case No. 6:24-cv-99

DEPARTMENT OF ENERGY; JENNIFER  
M. GRANHOLM, in her official capacity as  
Secretary of Energy; ENERGY  
INFORMATION ADMINISTRATION;  
JOSEPH DECAROLIS, in his official  
capacity as Administrator of Energy  
Information Administration; OFFICE OF  
MANAGEMENT AND BUDGET;  
SHALANDA YOUNG, in her official  
capacity as Director of Office of  
Management and Budget,

*Defendants.*

**CHAMBER OF DIGITAL COMMERCE’S MOTION FOR LEAVE TO INTERVENE AS  
PLAINTIFF**

Pursuant to Fed. R. Civ. P. 24, the Chamber of Digital Commerce (“Chamber”), a trade association representing multiple affected parties, asks the Court for leave to intervene and join the existing Plaintiffs. Permissive intervention is appropriate because the Chamber has claims with the main action common questions of law and fact. Fed. R. Civ. P. 24(b)(1).

Founded in 2014, the Chamber is the world’s largest blockchain trade association. The Chamber represents more than 150 diverse members of the blockchain industry globally, including cryptocurrency miners, startups, and other blockchain economy participants. An important aspect

of that mission is representing the interests of its members in novel cases that implicate issues of importance to the blockchain community.

The interests of the Chamber are inextricably linked to the outcome of this case. The Chamber's membership encompasses over 75 percent of the total market capitalization of North American proof-of-work cryptocurrency mining operations as of February 2024. Among these miners are those required to complete the "emergency" survey at issue here, EIA-862. This requirement threatens to imminently and irreparably harm these Chamber members. The Chamber's miner members include miners that are not members of Texas Blockchain Council ("TBC"), the current organizational plaintiff. Accordingly, it is appropriate for the Court to allow the Chamber to intervene to ensure that its members' voices are heard.

Intervention would not impede these proceedings, as the Chamber seeks the same relief as the existing plaintiffs and is prepared to move forward as scheduled. Finally, the existing Plaintiffs—TBC and Riot Platforms, Inc.—do not oppose intervention.

Respectfully,

/s/ Joshua Smeltzer

Chris Davis

Joshua D. Smeltzer

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*Counsel for Intervenor*

**CERTIFICATE OF CONFERENCE**

I hereby certify that I conferred with counsel for Plaintiffs and Defendants regarding the relief sought in this motion. Plaintiffs are UNOPPOSED. A conference was held with counsel for Defendants on February 25, 2004 and February 26, 2024. Defendant's counsel stated that it was not taking a position on the motion at the time of the Plaintiff's filing.

/s/ Chris Davis  
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**CERTIFICATE OF SERVICE**

I am an attorney and hereby certify that on February 26, 2024, I electronically filed the foregoing CHAMBER OF DIGITAL COMMERCE’S MOTION FOR LEAVE TO INTERVENE AS PLAINTIFF with the Clerk of the Court for the United States District Court Western District of Texas by using the CM/ECF system which will send notice to all counsel of record for both Plaintiffs and Defendants.

*/s/ Joshua Smeltzer* \_\_\_\_\_

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